2: Bernardi E, M-4 (no date) 1955 FL.12 Masai FL.12

cattle" and "red bulls". HOLLIS,[44] recorded two subdivisions of the Uasin Gishu, "the black striped cattle", and "the red striped cattle", which were, very probably, no other thing than the moieties.

The Masai *clans*, ol *gilata*, pl. *il gilata* or *en giskoni*, pl. *in giskoni*, are patrilineal and exogamous. Generally, they do not seem to be totemic. However, HOBLEY,[45] and the author of *MS.* No. 48 have recorded the names of a few clan totem. FOX,[46] refers also to the association of snakes with some clans.

The true exogamic unit of the Masai seems to be any individed unit, either clan or branch of the clan. A Masai may be adopted into another clan then his original one. The same provision applies even to an alien (Kikuyu, Dorobo). The adoptee, however, never attains the same social status as a full member of the clan. He is free to leave at any time, provided he returns whatever he was presented by his patrons, such as cattle or any other valuable.

The relationship between clans and their territorial distribution is not very clear. Analysis would suggest that in the past, clans were territorially separated. At present, there is still a tendency for members of the same clan to live close by to one another and occupy neighbouring encampments. Some sections are almost made up by members of a single clan. Thus, the *Molelian* clan is predominant in Kapiti section; the *Ataysk* clan is predominant in Dalalakotok section. Such facts, however, seem to be the exception. Usually clans are represented at a time in many different sections "There is no rule", writes HOBLEY,[47] "governing the distribution of the various *gilat* (clans); often members of as many as three *gilat* will be found in one *morn engang* (elders' village) or a *morun manyat* (warriors' village)".

Water and cattle are generally clan possession. When new water sources are discovered, they are claimed on behalf of the clan. All clan members who live in the neighbourhood are entitled to make use of them. A foreigner may also be allowed to water his cattle there. If disputes arise, they are settled by the council of clan-members on the spot. As a matter of fact, these water sources are the centre of ordinary social life, as FOSBROOKE[48] writes: "The

[44] HOLLIS, *l. c.*, p. 458.
[45] HOBLEY, *l. c.*, p. 138.
[46] FOX, *l. c.*, p. 458.
[47] HOBLEY, *Eastern Uganda. An ethnological Survey*. London 1902, p. 122.
[48] FOSBROOKE, *l. c.*, p. 42.

2: Bernardi E, M-4 (no date) 1955 FL12 Masai FL12

614 623 312 423 clansmen frequently meet on the water, and other matters — marriage, debts, etc. — come up for settlement before the tribunal". Clan ownership does not exclude individual ownership, which is integrated by the former as a sort of higher supervision. The point is that no clan property must be passed over to other clans without the owning clan's approval. HOBLEY,[29] states that cattle used to be marked by a clan brand showing clan-possession, and sometimes by a brand of the individual owner.

614 677 685 The corporate bond arising from clan relationship is confirmed by cases of murder compensation. Even if a murderer is a wealthy man, and might pay all the compensation out of his own stock, "the other branches of the clan would still contribute and they would pay their share". However, "if a Masai kills a member of his own branch of the *gilat* he pays compensation himself, and the other branches do not contribute".[30] LEAKEY, on the other hand, was told by his informants that no compensation is expected when a man kills a member of his own branch. They say: "what would be the use of taking a fine from one's own sub-clan?"[31] HOBLEY reports further that "each branch of the *gilat* to whom the murdered man belongs, receives a share of the compensation: 3-5ths to the murdered's father", and the rest is distributed among the other elders of the clan.[32] This is also confirmed by the notes of MAGUIRE on the penal code of the Masai.[33]

614 One should note that the corporate bond formed by clan relationship is of a particularist nature. It ties members to their own clan in opposition to other clans within the same tribe.

* * *

648 649 175 The many efforts of the Administration to identify a native political institution for local government make a very interesting piece of ethnographical history. First in Kenya, and also, after 1918, in Tanganyika, one laibon was recognised as the Paramount Chief of the Masai. In Kenya such an office was abolished in 1918, while a graded system of councils was introduced: a Central Masai Council, 14 Native Councils and local Headmen. They acted as tribunals,

[29] HOBLEY, *Ethnology of A-Kamba*, p. 139.
[30] HOBLEY, l. c., p. 139; FOSBROOKE, l. c., pp. 45 s.
[31] LEAKEY, *Some Notes on the Masai of Kenya Colony*, in *J. R. A. I.*, 66, 1936, p. 369.
[32] HOBLEY, l. c.
[33] MAGUIRE, *The Masai Penal Code*, in *J. A. S.*, 34, 1935, pp. 13 ss.

9:Fosbrooke G-5 (1936-1948) 1948 FL12 Masai FL12
Kisonko

a woman of his own clan. But in certain cases groups of sub-clans within the clan may inter-marry (as shown on the chart), but when this occurs certain payments called *engangit* are made.

The true status of the Laitayok is discussed elsewhere (Sect. 1) their clans are shown on the chart separate from the main body of Masai clans.

One of the most important aspect of the clan system lies in the ownership of waters. It appears that in the old days, when a new country was conquered, each moran, so far as he was able, claimed a water on behalf of his clan. Thus all the Naberera and other Central Masai wells are in clan ownership, as also are the springs round Longonot, Kilaya, etc. The senior member of the clan resident on the water is in control, and, in consultation with the other local clansmen, determines the order of watering.

The main practical application of this knowledge is that in effect the users of the water form a council for the settlement of disputes, under the 'chairmanship' of the owner. For example at Landanai a dispute arose as follows:—

A migrating Masai may demand, and must be given, water at any well or spring, when actually on the move, drinking in priority to any local cattle. A moran claimed this privilege at Landanai, the elder who was watering his cattle refused, and a fight ensued. The local users of the water reached one decision in the matter in the absence of the 'owner' of the water; when he heard of this he was furious, called another meeting, and the original decision was reversed.

In other words, when waters are in clan ownership, there is a definite system of settling disputes arising from the use thereof; further, as the clansmen frequently meet on the water, other matters — marriage, debt, etc. — come up for settlement before the tribunal.

The value of these tribunals should not be overstressed, since in many cases waters are not in clan ownership; where water is abundant, as in a river or furrow, the water is communal, (*engure loongishu*): in other areas where recent migration has ousted the original owners, the clan system does not apply.

In certain areas clan feeling manifests itself in other ways. For instance at Laitokitok in Kenya the Molelian and Laitayok have separate manyatta, and act independently in certain tribal matters. Near Lalimudo it was found to be of great political advantage when the Laitayok were given a headman of their own. In the course of this survey, only one other clan concentration was discovered, namely the Laitayok at Engaresero, where this clan forms two-thirds of the total population. Local government can, therefore, be given a strong clan bias in that area, and in other areas which may be found in future to contain large numbers of a single clan.

The feeling that the clan owns jointly all cattle in possession of the clansmen manifests itself in numerous ways. For instance, members of the Engidong clan are not supposed to contribute to the cattle taken by deputations to the laibon — himself an Engidong — but may add a present of their own. When blood-money is paid, it is less when the

13:Huntingford E-4 (no date) 1953 FL12 Masai FL12

233 of cattle to a family (*kishomi*) in 1948 was between 100 and 200 head. There
[171] appears to be no such system as the Nandi *koptic* or Kipsikis *kimuratuken*. (See
above, p. 21.) Milking is done by girls and women into gourds; the calf is allowed
[234] to suck, and if it dies the skin, sometimes stuffed with grass and called *ol-kuta*, is
presented to the cow at each milking. The milk yield is about three pints a day.
Cattle are bled in the same way as by the Nandi, with a blocked arrow, *ol-gorot*,
shot into the jugular vein, and the blood is caught in a gourd. Sheep also are bled.
Cattle are branded with marks on the rump or flank which indicate the owner's
clan or sub-clan, with sometimes a private mark as well; the ears are also clipped
for the same purpose. Salt for cattle is obtained by driving the herds to a salt-lick,
232 *em-bolisi*. The Masai are said to have effective remedies for diseases of cattle, but
their efficacy has never been enough to prevent heavy loss during epidemics of
rinderpest and pleuro-pneumonia.

Donkeys

422 The Masai keep large numbers of donkeys (*i-dirkaa*, sing. *o-alkiria*) which are
used for carrying their goods when they move house (*idoo*). Donkeys are marked by
slitting the ears in different ways.

The Status of Cattle

422 The status of cattle as regards ownership is uncertain. Merker says that warriors
may own cattle; Thomson says they may not, and on such a point the statements
of a traveller are open to question. Fosbrooke says that they may.* But further
investigation of cattle as property, and of their status in the light of ritual value is
required.

INHERITANCE OF CATTLE

428 There does not seem to be any clear account of the rules which control the
division of a man's stock among his sons. The guiding principle is that the eldest
son of the senior wife gets the largest share, inheriting not only the cattle given
in trust to his mother, but also those which his father had kept for his own use.
Inheritance is affected also by the "gate" (*kishomi*) arrangement in the kraal: for
cattle may not pass from one side to the other. If a wife on the left side dies with-
out sons, her cattle may not go to a man on the right side so long as there are
any sons by other wives on the left side. This subject also needs further investigation.

GRAZING AND WATER RIGHTS

423 Land is not owned by individuals, but by the sub-tribe (*ol-osho*), and grazing
rights are acquired by residence. Water rights are controlled by the clan. In the
old days, when the Masai occupied new territory, each warrior, according to tradition,
claimed a well, spring, or water-hole on behalf of his clan. Individual rights over
water are thus ruled out by tradition, and the senior member of a clan living at
the water decides, after consultation with other clansmen, the order in which people
take their cattle to water. But a Masai when actually on the move with cattle may
claim, and must be given, priority over local cattle at any well or spring. Where
water is plentiful, however, as in a river, possession is communal.

DIVISION OF LABOUR

592 In a purely pastoral society like that of the Masai the expression "economic
593 unit" has little meaning, but so far as it can be said to exist, it is the family. It
must be remembered, however, that the normal practice is for families to be divided
between the father's kraal, *enk-ang*, and the warriors' kraal, *e-manyata*, and that the

* Fosbrooke, personal communication.

[See details of the (Kishomi) arrangement in residence, etc? p. 107. --Analyst]

595 /37 cont./
[734] ses in their position as secondary wife lasting or temporary maintenance. Each wife has her own hut, in which she lives with one or several small children and manages an independent household. The woman married first is the principal wife (en alkeri eig ai) (1)

1. = the first in the kraal.

and remains such until death; then the woman married next after her steps into this position. The principal wife is supported the
[322] best, in that the husband surrenders to her a large part of his cattle for the usufruct and treats her with distinction before the other wives by means of gifts of ornaments and clothing, as well as by better service. /28/ Her eldest son has prerogatives in the right of succession. The principal wife exercises supervision over the other wives and keeps them at the work when they neglect it.

422 The domestic community does not have any common property.
As property there comes into consideration first cattle, goats,
[354] sheep, and donkeys. The size of the herd is the gauge for the social position of its owner, the father of the family. The cattle
[428] handed over by him to each of his wives for care and usufruct remain his own, and only when the wife has a son about ten or twelve years old do they pass, with his consent, into the latter's possession, and sometimes into his ownership. /Ill. 9 appears here./ A presupposition for the latter, however, is that the boy
[591] is not needed in the tending of the paternal herds. For as soon as he receives the livestock, he must leave his father's kraal, along with his mother, in order to lay out a small new kraal for himself at a distance of several kilometers. This is supposed to prevent the two herds from coming together, an opportunity which otherwise the son would often enough take advantage of
422 to steal from the father. Huts and household implements, both
• 423 only of slight durability and little value, theoretically also belong to the father of the family, but in practice to those of his
[462] wives who use these things. The woman builds the hut, whereby the children or other women help her. What is not used in

000

[Warrior Kraal]

/83 cont./

XI.

000 Warrior kraal. -- Its inhabitants. -- Work. -- Foods of the warriors. -- Forest meals. -- Organization: the speaker, his badge and tasks; leaders; benefactors. -- Dueling. -- Daily life. -- Mealtimes. -- Dance and song. -- War: permission for it, preparation, forest meal, marching off, march, camp, surgeon, spies. -- Formation of the war march for the attack. -- Battle. -- Booty. -- Captives. -- Distribution of the booty. -- Return of the warriors. -- Defense procedures. -- Attack on caravans. -- Concluding peace. -- March performance. -- Retirement from the warrior standing.

621 701 [361] [634] In each district one usually finds only one warrior kraal, which quarters all the warriors of this area. It lies in the spot from which the district can best be protected from enemy attacks. The warrior kraal (ol manjata or manjada) is not externally differentiated from other kraals by anything. It is inhabited by 50 to 100 warriors, sometimes almost double that number of young girls, the mothers and several younger brothers /84/ of the warriors. In every hut there is a [342] [513] large sleeping place for a warrior, and usually, at the other end of the hut, a small one for one of the mothers. The huts of those who are [423] staying abroad for the time being are common property, and anyone who wants one takes it as quarters for the night by sticking his spear in the ground in front of it toward sundown. The others then often sleep three or four in a hut, as do the mothers.

621 701 462 [351] [356] The kraal is laid out by the old women, they build and maintain huts and thorn fence. Together with the girls they milk the cattle, clean the kraal every day in that they spread the cow dung, while the former sweep up and carry out the goat dung, fetch water, and keep the huts clean.